

1 Gregory J. Yu (State Bar No. 133955)  
2 GLOBAL LAW GROUP  
3 2015 Pioneer Court, Suite P-1  
4 San Mateo, CA 94403  
5 Telephone: (650) 570-4140  
6 Facsimile: (650) 570-4142  
7 E-mail: glgroup [at] inreach [dot] com

8 Attorney for Plaintiffs and Proposed Class and Subclasses

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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 KINDERSTART.COM LLC, a California  
15 limited liability company, on behalf of itself and  
16 all others similarly situated,

17 Plaintiffs,  
18 v.  
19 GOOGLE, INC., a Delaware corporation,  
20 Defendant.

21 Case No. C 06-2057 JF

22 **PLAINTIFFS' ADMINISTRATIVE  
23 MOTION UNDER LOCAL RULE 7-11  
24 AND STIPULATION  
25 (1) TO EXTEND PERIOD FOR  
PLAINTIFFS' SUBMISSION OF  
DECLARATIONS PER JANUARY 22,  
2007 COURT ORDER AND  
(2) TO OBTAIN PROTECTIVE ORDER**

26 **PROCEDURAL SETTING FOR THIS MOTION**

27 On October 20, 2006, Defendant Google, Inc. (“Google”) filed a motion for sanctions  
28 against Plaintiff KinderStart.com LLC (“KinderStart”) and its legal counsel Gregory J. Yu for  
sanctions under Rule 11 (“Rule 11 Motion”) of the Federal Rules of Civil Procedure (Fed. R.  
Civ. P.). After a hearing on January 19, 2007 on the Rule 11 Motions, on January 22, 2007, the  
Court issued an order (the “Rule 11 Order”) that Gregory J. Yu submit to the Court *in camera*  
declarations of witnesses by February 6, 2007.

29 KinderStart orally requested Google to stipulate to an extension of this deadline through  
30 February 20, 2007. Google orally requested KinderStart to stipulate to a protective order to view  
31 copies the subject declarations if and when submitted to the Court. This administrative request

32 **PLAINTIFFS' ADMINISTRATIVE MOTION  
33 UNDER L.R. 7-11 RE EXTENSION OF COURT  
34 DEADLINE FOR RULE 11 DECLARATIONS**

1 under L.R. 7-11 seeks an order from the Court for regarding the stipulated extension and  
 2 protective order.

3 **REASONS FOR EXTENSION OF DEADLINE FOR DECLARATIONS**

4       1.     **Plaintiffs Have Acted Diligently to Secure Declarations.** Two days after the  
 5 Rule 11 Order, on January 24, 2007, Plaintiffs' counsel Gregory Yu e-mailed a key witness to  
 6 provide further assistance in this case, but he replied the next day that he was out of the country  
 7 for business and for vacation and would not return until after February 8, 2007. On January 29,  
 8 2007, the witness further replied that he would not be able to act on a request for a written  
 9 declaration until after his return to the United States and his consultation with independent legal  
 10 counsel. On January 30, 2007, Gregory Yu and Google's legal counsel Bart Volkmer verbally  
 11 agreed in principle to an extension of the deadline for the declaration and to a grant of access by  
 12 Google's counsel to all submitted declarations. Declarations from all other witnesses are  
 13 expected by the original court deadline of February 6, 2007.

14       2.     **Previous Extensions Requested by the Parties.** The following extensions have  
 15 been effected in this case as follows: By order on August 11, 2006, the Court granted in part  
 16 KinderStart's request for an extension to file the SAC by September 1, 2006.

17       3.     **Potential Effect on the Proceedings in this Case.** The motions of Google under  
 18 Fed. R. Civ. P. 8, 12 and 15 and under Cal. Code Civ. P. § 425.16 are under submission to the  
 19 Court. This case is subject to the discovery stay in effect. KinderStart believes that no genuine  
 20 prejudice against Google and its legal counsel arises from a 14-day extension for Plaintiffs to  
 21 submit the requested declarations for adjudication of the Rule 11 Motion.

22               Therefore, based on the above, Plaintiffs respectfully requests that the Court issue an  
 23 order pursuant to the accompanying stipulation.

24 Dated: February 1, 2007

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By: /s/ Gregory J. Yu

Gregory J. Yu, Esq.

Attorney for Plaintiff KinderStart.com LLC and  
 for the proposed Class and Subclasses